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Memorandum

Subject: INFORMATION: Revised FHWA
Assessment of Adverse Effects for the I-
94 East – West Corridor Project from
16th St to 70th St, Milwaukee, WI (Project
ID 1060-27-00)

Date: September 24, 2014

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In Reply Refer To:
HDA-WI

To: Dobra Payant
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The Federal Highway Administration–Wisconsin Division Office (FHWA), in cooperation with Wisconsin Department of Transportation (WisDOT), is developing an environmental impact statement (EIS) for a proposed project on I-94 from 16th Street to 70th Street in Milwaukee, Wisconsin. This memorandum provides FHWA's effect determinations pursuant to 36 CFR 800.5. FHWA submitted the first draft of this memorandum to the consulting parties for review and comment in April 2014. This revised memorandum reflects the comments received on the first draft as well as subsequent consultation meetings.

FHWA, in consultation with the State Historic Preservation Office (SHPO) and other consulting parties, identified the project's Area of Potential Effect (APE) and the following historic properties within it.¹

- Calvary Cemetery
- Northwestern Branch, National Home for Disabled Volunteer Soldiers Historic District (Soldiers' Home Historic District)
- Northwestern Branch, National Home for Disabled Volunteer Soldiers National Historic Landmark (Soldiers' Home NHL)
- Soldiers' Home Reef National Historic Landmark
- Story Hill Residential District #1
- Story Hill Residential Districts #2 and #3

¹ FHWA Memorandum: Historic Properties On or Eligible for the National Register within the APE for the I-94 East-West Corridor from 16th St to 70th St (October 8, 2013, APE map revised March 2014 to clarify historic boundaries for the Northwestern Branch, National Home for Disabled Volunteer Soldiers National Historic Landmark, and the National Register listed Historic District). APE map revised March 2014 is attached. Brief summaries describing the characteristics and significance of the historic properties were provided as part of the October 15, 2013 consultation meeting.

The purpose of the proposed project is to maintain I-94 as a key link in the local, state, and national transportation network; to address obsolete roadway design to improve safety (including replacing left-hand entrances and exits and providing proper weaving distances between exit and entrance ramps); to replace deteriorated pavement and infrastructure (bridges); and to improve capacity by accommodating current and future traffic volumes at an acceptable level of service.

Through the alternatives screening process, the following project alternatives, located within the APE, were retained for detailed study for the I-94 East-West Corridor West Segment (70th Street to Stadium Interchange):

- At-grade alternative: Add a fourth lane in each direction, split-diamond interchange at 68th/70th Streets with either no Hawley Road interchange or a half interchange at Hawley Road (entrance/exit ramps to and from the west), and narrow lanes and shoulders through the cemetery area.
- Double Deck alternative: Add a fourth lane in each direction, split diamond interchange at 68th/70th Streets, full Hawley Road interchange, and a double deck (all up or partially down) through the cemetery area.

These alternatives, along with the No-Build alternative, are evaluated in detail in the I-94 East-West Corridor Draft EIS.

As part of the Section 106 consultation process, FHWA invited consulting parties to share their views² on the potential effects the proposed I-94 project may have on the historic properties located in the APE pursuant to 36 CFR 800.4(d)(2) and 36 CFR 800.5. According to 36 CFR 800.5(a)(1), "an adverse effect is found when the undertaking may alter, directly or indirectly, *any of the characteristics that qualify the property for inclusion in the National Register in a manner that would diminish the integrity of the property's location, design, setting, materials, workmanship, feeling, or association*" (emphasis added).

FHWA, in consultation with the SHPO, Advisory Council on Historic Preservation (ACHP), National Park Service (NPS) as it pertains to NHLs, the Department of Veterans Affairs (VA), and other consulting parties, has applied the criteria of adverse effect, considered the views of consulting parties identified in *I-94 East-West Corridor Study Potential Effects on Historic Resources* (February 26, 2014), and determined that the proposed project, regardless of the alternative selected, would have No Adverse Effect on the following properties:

- Soldiers' Home Reef National Historic Landmark
- Story Hill Residential District #1

The project would not acquire, alter, or change the characteristics that qualify the properties for inclusion in the National Register in a manner that would diminish the integrity of the property's location, design, setting, materials, workmanship, feeling, or association.

The proposed project would have No Adverse Effect on the Soldiers' Home Reef National Historic Landmark which was listed on the National Register and designated as a landmark in 1993. The historical significance of the 400-million-year-old Silurian Period fossil reef derives from its discovery in the 1830s by Wisconsin's first scientist, Increase A. Lapham, and by James Hall who recognized and described it in 1861 as an ancient fossil reef. The reef was one of the first described reefs in North America and the world. Thomas Chamberlin used the reef and others in formulating his paleoecological and sedimentological model of reef development. The proposed project would not

² Consulting party views were recorded in the *I-94 East-West Corridor Study Potential Effects on Historic Resources* memo dated February 13, 2014 and in the Section 106 Consultation meeting minutes from July 15, 2013, to February 13, 2014.

acquire property or otherwise alter or change the character or setting of the historic reef in a manner that diminishes its historic integrity.

The proposed project would have No Adverse Effect on the National Register eligible Story Hill Residential District #1. The historic significance of the district is derived from its period Craftsman and Colonial Revival style homes distinguished by their stucco cladding. The Story Hill neighborhood was developed when Albert & Alice Story registered a plat in 1911. The period of significance spans 1909–1936. The proposed project would not have direct impacts on Story Hill Residential District #1 or otherwise alter or change the character or setting of district in a manner that diminishes its historic integrity.

FHWA, in consultation with the SHPO, ACHP, NPS, the VA, and other consulting parties, has applied the criteria of adverse effect, considered the views of consulting parties and determined that the At-grade alternative would have No Adverse Effect and the Double Deck alternative would have a potential Adverse Effect on the following properties:

- Calvary Cemetery
- Story Hill Residential Districts #2 and #3

The historical significance of Calvary Cemetery is derived from its function as the final resting place of a number of influential individuals who made outstanding contributions to the history of Milwaukee and for embodying the “high style” qualities of Late Victorian and Classical Revival architecture. The period of significance is from 1857 to about 1922.

The At-grade alternative would not require acquisition of any Calvary Cemetery property. The noise levels would remain roughly the same as existing conditions. The roadway under this alternative would be slightly elevated (up to 3-5 feet) compared to the existing interstate, but the viewshed from the cemetery would have only minor modifications. The At-grade alternative would not alter or change the character of the property in a manner that diminishes the historic integrity of the property’s location, design, setting, materials, workmanship, feeling, or association. The At-grade alternative would have No Adverse Effect on Calvary Cemetery.

The Double Deck alternative could have an Adverse Effect on the National Register-eligible Calvary Cemetery. There would be no direct impacts to the property from the project, and no cemetery property would be acquired. However, there could be indirect impacts to the cemetery from the visual impacts of an elevated interstate. The integrity of location, design, materials, and association would not be altered or diminished by the project. The location of the cemetery would remain intact; the design and materials of the landscape and the architecture would be retained; and the cemetery would continue to be associated with the influential Milwaukee individuals. However, the visual impacts could diminish the integrity of setting and feeling. The viewshed of Calvary Cemetery includes the interstate, but under the Double Deck alternative, the view from the cemetery would be altered and obstructed by the new elevated roadway, which would be 25 to 30 feet taller than the existing roadway.

In summary, the At-grade alternative would have No Adverse Effect on Calvary Cemetery. The Double Deck alternative would have a potential Adverse Effect on Calvary Cemetery due to the visual impacts that could diminish the integrity of setting and feeling of the property.

The period of significance for the National Register-eligible Story Hill Residential Districts #2 and #3 spans from 1924–1963, with much of the construction occurring in the 1920s. The historic significance of the district is derived from its Period Revival styles, which are well represented in the form of Period Colonial Revival, Tudor Revival, and Mediterranean Revival styles and features examples of several well-regarded Milwaukee architects and builders, including Hugo C. Haeuser, Roy J. Jacobs, and the firm of George Schley & Sons. Of the 153 properties within the district, only three are considered noncontributing. Some of the contributing properties on the southeastern side of the

Story Hill Residential Districts #2 and #3 currently have views of the existing, highly urban I-94 corridor, the Stadium Interchange with elevated ramps, and the associated transportation infrastructure. Residents of the district have noise concerns because of the freeway and nearby Miller Park, home of the Milwaukee Brewers. These properties have coexisted with the I-94 corridor for more than 50 years, since the freeway opened in 1963.

As part of the alternative development process, FHWA and WisDOT are carrying forward alternatives within the view from Story Hill Residential Districts #2 and #3 that hold the northern freeway right-of-way line at its existing location, maintain I-94 westbound travel lanes and shoulder in their existing location, maintain the vegetative screening near Story Parkway, and move all proposed freeway improvements farther away. (The proposed Stadium Interchange flyover ramp would be roughly 1,300 feet away from the district.)

The At-grade alternative would not require acquisition of any property in Story Hill Residential Districts #2 and #3. Under the At-grade alternative, the freeway would be about the same elevation it is today adjacent to the historic district. Existing views towards I-94 and beyond would essentially remain the same. Noise levels from the At-grade alternative, if selected, are expected to result in a 1-2 decibel increase within the district, according to the noise analysis conducted as part of the EIS. Although an increase of less than 3 decibels is generally imperceptible to the human ear, the existing noise levels in the district are high enough that a noise wall is reasonable and feasible at that location under WisDOT policy. FHWA has determined that the increase in noise levels within the historic district would not be an adverse effect under Section 106. If a noise wall were installed to mitigate current or future noise levels, the wall itself may constitute an adverse effect on the district because of visual obstruction of the viewshed from the historic district properties.

The At-grade alternative would not alter or change the character of the property in a manner that diminishes the historic integrity of the property's location, design, setting, materials, workmanship, feeling, or association. The At-grade alternative would have No Adverse Effect on Story Hill Residential Districts #2 and #3.

Noise levels from the Double Deck alternative, if selected, are expected to result in a 0 to 6 decibel increase within the district, according to the noise analysis conducted as part of the EIS. As previously noted, the existing noise levels in the district are high enough that a noise wall is reasonable and feasible at that location under WisDOT policy. FHWA has determined that the increase in noise levels within the historic district would not be an adverse effect under Section 106. If a noise wall were installed to mitigate current or future noise levels, the wall itself may constitute an adverse effect on the district because of visual obstruction of the viewshed from the historic district properties.

The Double Deck alternative would not require acquisition of any property in Story Hill Residential Districts #2 and #3. The Double Deck alternative would raise the freeway 14-feet (Partially Down option) to 20-feet (All Up option) at the west end of the district. Under the At-grade and the Double Deck alternatives an eastbound exit ramp from I-94 to US 41/Miller Park Way at the Stadium Interchange would add additional roadway infrastructure that would be roughly 30 feet higher than the existing interchange. This ramp would be roughly 1,300 feet from the district boundary. Under the Double Deck alternative, the new exit ramp and the elevated double deck structures through the cemetery area would be visible from parts of the historic district. The visual impacts of the Double Deck alternative (All Up or Partially Down options) to the district could diminish the integrity of setting and feeling of the historic property. There would be no direct impacts to the district, so it would retain integrity of design, materials, workmanship, and association.

In conclusion, the Double Deck alternative would have a potential Adverse Effect to Story Hill Residential Districts #2 and #3. The visual changes to the district could alter or change the setting and feeling of the district in a manner that could diminish its historic integrity. The At-grade alternative would have No Adverse Effect on the Story Hill Residential Districts #2 and #3.

FHWA, in consultation with the SHPO, ACHP, NPS, the VA, and other consulting parties, has applied the criteria of adverse effect, considered the views of consulting parties identified in the February 13, 2014 *I-94 East-West Corridor Study Potential Effects on Historic Resources* document, and determined that the At-grade alternative could be designed to have to have a No Adverse Effect and the Double Deck alternative would have an Adverse Effect on the following properties:

- Northwestern Branch, National Home for Disabled Volunteer Soldiers Historic District
- Northwestern Branch, National Home for Disabled Volunteer Soldiers National Historic Landmark

The Soldiers' Home NHL and Soldiers' Home Historic District are essentially the same historic property with some slight differences between the historical boundaries and periods of historic significance. The attached exhibit shows the boundaries of the NHL and Historic District. The period of significance for the Soldiers' Home NHL is 1866-1930 and 1867-1955 for the Soldiers' Home Historic District. The National Asylum for Disabled Soldiers, as it was originally named, was established in 1865. The Milwaukee Soldiers' Home campus is the only one of the three original Soldiers' Home sites to have its majestic Soldiers' Home intact, and it is also the only one with the majority of its surrounding recuperative village remaining. The Soldiers' Home NHL houses 25 post-Civil War and turn-of-the-20th-century buildings, as well as the oldest two-thirds of Wood National Cemetery. The most historically significant and architecturally dominant building is the site's namesake, the Soldiers' Home (Building 2), or "Old Main."

The cemetery was established in 1871 as the Soldiers' Home Cemetery, on the grounds of the National Asylum for Disabled Soldiers, to inter the remains of soldiers who died while in the care of the Soldiers' hospital. The cemetery was renamed Wood Cemetery in 1937 in honor of General George Wood. It became a National Cemetery in 1973 and is the only National Cemetery in Wisconsin. Veterans of conflicts ranging from the war of 1812 to the Iraq war are buried in the cemetery.

Potential adverse effects to the Soldiers' Home Historic District and the Soldiers' Home NHL under the Double Deck alternative include the visual effects of constructing a 25- to 30-foot elevated structure to carry I-94 traffic, currently at-grade, between the north and south sides of the Soldiers' Home Historic District and the Soldiers' Home NHL, and the direct effects of converting non-transportation-related property within the Soldiers' Home Historic District and Soldiers' Home NHL into a transportation facility (reconstruction of Zablocki Drive) for the VA.

If the Double Deck alternative is identified as the preferred alternative in the Final EIS and selected for implementation in the Record of Decision,³ it would require further consultation with the consulting parties to identify specific measures to avoid and or minimize harm to the historic properties. Agreed upon measures would be stipulated in a Memorandum of Agreement and incorporated into the project implementation as commitments identified in the ROD. As part of the alternative development process, FHWA and WisDOT determined that project alternatives along I-94 from Hawley Road to Mitchell Boulevard would be constrained to the existing transportation right-of-way and that all graves would remain in place to avoid and minimize adverse effects to the Soldiers' Home Historic District and the Soldiers' Home NHL. Additional mitigation efforts could include the restoration of property previously functioning as a transportation facility into a more naturalized landscape, and provide openings in the elevated structure to allow for visual connections across I-94 between the north and south sides of the Soldiers' Home Historic District and Soldiers' Home NHL. Should the Double Deck alternative be selected, FHWA looks forward to additional consultation on

³ FHWA and WisDOT will identify a preferred alternative after the public hearing and comment period for the Draft EIS. The preferred alternative will be described in the Final EIS. FHWA officially selects an alternative to implement the proposed project as part of the Record of Decision.

ways to further avoid, minimize, and mitigate adverse effects to the Soldiers' Home Historic District and the Soldiers' Home NHL.

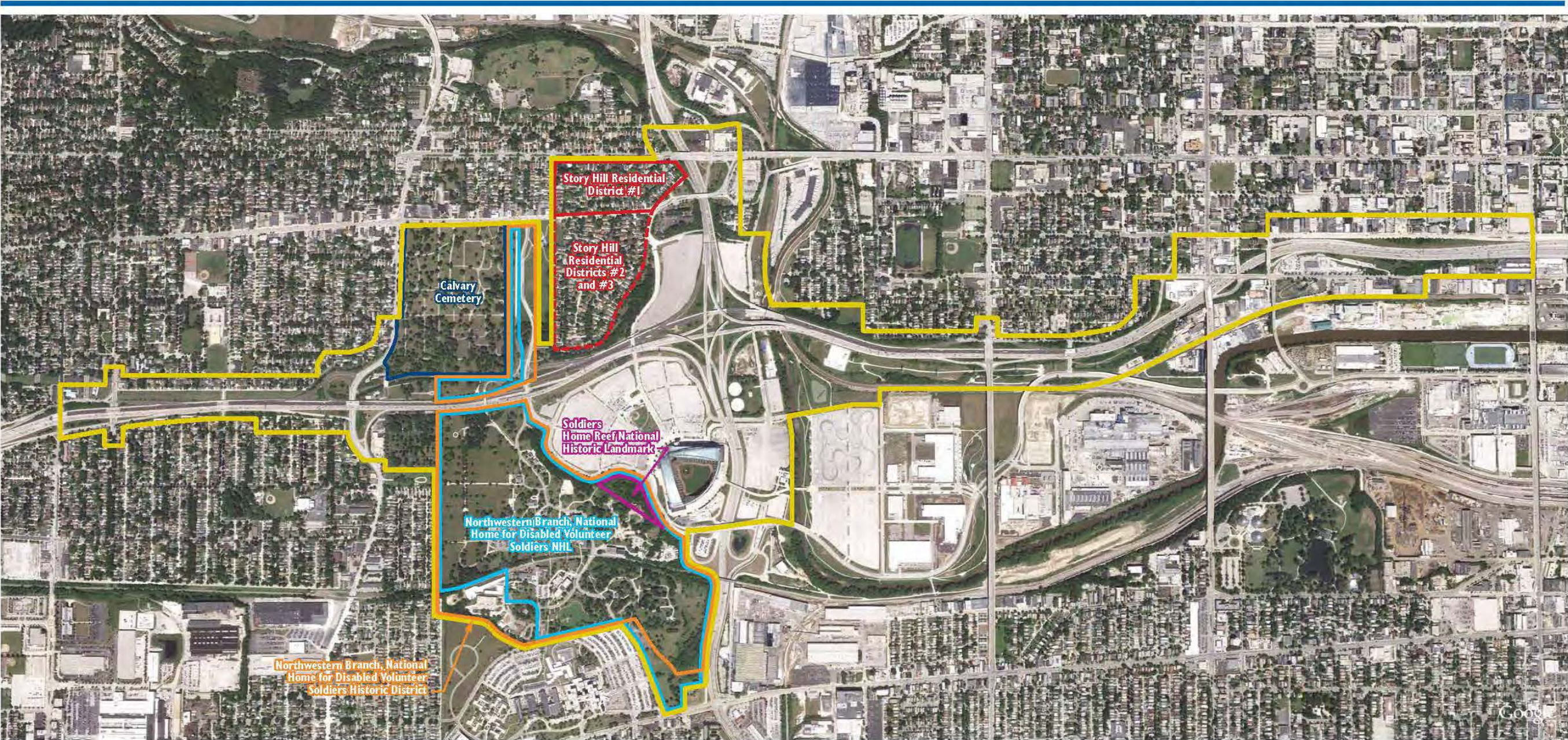
At the January 10, 2014 consultation meeting, the SHPO, NPS, ACHP, and other consulting parties generally agreed that the At-grade alternative could be designed to have no adverse effect to the Soldiers' Home Historic District and the Soldiers' Home NHL. FHWA has determined that the At-grade alternative, pending further engineering and design, would result in a conditional No Adverse Effect to the Soldiers' Home Historic District and the Soldiers' Home NHL. Should the At-grade alternative be selected, FHWA looks forward to continued consultation in the project design phase to ensure that an adverse effect is not created.

In summary, FHWA has determined that the Double Deck alternative would result in an Adverse Effect to the Soldiers' Home Historic District and the Soldiers' Home NHL. Direct adverse effects may be minimized by not acquiring property from the historic sites, not widening I-94 into the Soldiers' Home Historic District and the Soldiers' Home NHL, and not relocating graves. FHWA would continue consultation pursuant to 36 CFR 800.6 to look for opportunities to avoid, minimize, or mitigate adverse effects on the Northwestern Branch, National Home for Disabled Volunteer Soldiers National Historic Landmark and the Northwestern Branch, National Home for Disabled Volunteer Soldiers Historic District as well as on Calvary Cemetery and Story Hill Residential Districts #2 and #3. In addition, FHWA and WisDOT will gather the documentation for consultation materials (as described at 36 CFR 800.11(e)) used as part of the consultation process and prepare a report for consulting parties for further review and comment at a future consultation meeting.

FHWA looks forward to the consultation meeting October 16, 2014, and continued discussion on opportunities to minimize any impacts through avoidance, minimization, and mitigation. Please do not hesitate to contact me at bethaney.bacher-gresock@dot.gov or 608-662-2119 if I can be of additional assistance.

Enclosure

cc: Section 106 Consulting Parties



LEGEND

- Area of Potential Effect
- Northwestern Branch, National Home for Disabled Volunteer Soldiers National Historic Landmark
- Story Hill Residential District #1
- Story Hill Residential Districts #2 and 3
- Soldiers Home Reef National Historic Landmark
- Calvary Cemetery
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